

MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

N.Y.S.D. Case #
04-cv-1773(DAB)

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 3rd day of November, two thousand and eleven.

PRESENT: ROSEMARY S. POOLER,
ROBERT D. SACK,
GERARD E. LYNCH,
Circuit Judges.

IN RE: American Express Financial Advisors Security Litigation

JUDGMENT

Docket No. 10-3399

Carol M. Anderson, Leonard D. Caldwell, Donald G. Dobbs, Kathie Kerr, Susan M. Rangeley, Patrick J. Wollmering, Naresh Chand, On behalf of himself and all others similarly situated, John B. Perkins, Elizabeth Flenner, Gale D. Caldwell, Richard T. Allen, Individually and on behalf of all others similarly situated,

Plaintiffs,

American Express Company, American Express Financial Corporation, American Express Financial Advisors, Inc., James M. Cracchiolo,

Defendant

Ameriprise Financial Services, Inc.,

Defendant - Appellee

v.

John Beland, Elaine Beland,

Class Members - Appellants

**USDC SDNY
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DATE FILED: November 28, 2011**

The appeal in the above-captioned case from a judgment of United States District Court for the Southern District of New York was argued on the district court record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the judgment of the District Court is AFFIRMED in part and VACATED in part, and the case is REMANDED in part, in accordance with the opinion of this Court.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

Catherine O'Hagan Wolfe

MANDATE ISSUED ON 11/28/2011